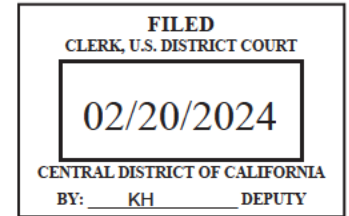


UNITED STATES DISTRICT COURT

for the

Central District of California



United States of America

v.

ANDY CUELLAR, and
ARTURO MORALES,

Defendants

Case No. 2:24-mj-00946-DUTY

**CRIMINAL COMPLAINT BY TELEPHONE
OR OTHER RELIABLE ELECTRONIC MEANS**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 16, 2024, in the county of Los Angeles in the Central District of California,
the defendant(s) violated:*Code Section*

18 U.S.C. §§ 1951(a), 924(c)

*Offense Description*Interference with Commerce by Robbery; Using and
Carrying a Firearm During and in Relation to a Crime of
Violence

This criminal complaint is based on these facts:

Please see attached affidavit.☒ Continued on the attached sheet.

/s/

Complainant's signature

David Prewet, ATF Task Force Officer

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone.

Date: February 20, 2024/s/ Autumn D. Spaeth

Judge's signature

City and state: Santa Ana, CaliforniaHon. Autumn D. Spaeth, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

I, David Prewett, being duly sworn, declare and state as follows:

I. INTRODUCTION

1. I am a Detective with the Santa Ana Police Department ("SAPD") and also a federally deputized Task Force Officer ("TFO") presently working with the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF"). As a TFO with the ATF, I am an investigative or law enforcement officer of the United States within the meaning of 18 U.S.C. § 3051, and I am empowered by law to conduct investigations and make arrests for offenses against the United States.

2. I am assigned to the ATF Orange County Violent Crime Task Force ("OCVCTF"). The OCVCTF is comprised of federal and local law enforcement agencies, including, but not limited to, the ATF, Brea Police Department, Santa Ana Police Department, Orange County District Attorney's Office, and Fullerton Police Department. The OCVCTF is responsible for, among other things, investigating violations of federal law involving criminal street gangs, possession of firearms by prohibited persons, possession of stolen firearms, possession of machineguns, the illegal distribution of firearms and narcotics, burglaries, and violent crimes to include robberies. Prior to this assignment with the ATF, I was a Santa Ana Police Detective and have been sworn officer in the State of California for approximately 25 years.

3. During my tenure as a police officer, detective, and as well as an ATF TFO, I have conducted and participated in numerous investigations of criminal activity, including, but not limited to, the possession of firearms by prohibited persons, possession of stolen firearms, robberies, and homicides. Since joining the OCVCTF in July of 2022, I have specialized in investigations of robberies and burglaries, firearms violations, drug trafficking, and gang activity. I have participated in the execution of numerous search and arrest warrants related to these investigations.

II. PURPOSE OF AFFIDAVIT

4. This affidavit is made in support of an arrest warrant and criminal complaint charging Andy CUELLAR ("CUELLAR"), and Arturo MORALES ("MORALES") with interference with commerce by robbery, in violation of 18 U.S.C. § 1951(a), and use of a firearm in a crime of violence, in violation of 18 U.S.C. § 924(c), as well as associated arrest warrants.

5. The facts set forth in this affidavit are based upon my observations, my training and experience, and information obtained from various law enforcement personnel and witnesses, including my review of reports prepared by other law enforcement officers and agents. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not purport to set forth all of my knowledge of the investigation into this matter. Unless specifically indicated otherwise, all conversations and statements described in this affidavit are related in substance and in part only.

6. I am the lead ATF TFO assigned to the investigation of a massage parlor robbery that occurred in Torrance, California. During the course of the investigation, I obtained and reviewed local police reports related to the robbery, reviewed surveillance footage and from the robbery, conducted surveillance, and discussed them with other involved law enforcement investigators, among other investigative activities.

III. SUMMARY OF PROBABLE CAUSE

7. On February 16, 2024, a robbery of Lucky Health Therapy¹ occurred in Torrance, California, for which CUELLAR, and MORALES were arrested. As set forth below, the following evidence connects CUELLAR and MORALES to the robbery: (1) while under surveillance CUELLAR drove the getaway vehicle to multiple massage parlors before robbing Lucky Health Therapy; (2) after the robbery, CUELLAR and MORALES were located with the getaway vehicle going through items taken in the robbery and fled from law enforcement on foot; (3) CUELLAR and MORALES discarded items from the robbery during his flight on foot; (4) several items of stolen property from the victims were located and recovered from CUELLAR and MORALES and in their vehicle; (5) the knife used by CUELLAR and the handgun used by MORALES during the robbery were recovered from their vehicle; (5) CUELLAR admitted to law enforcement that he and MORALES committed the robbery; and (6)

¹ The owner of Lucky Health Therapy operates the company from her residence in Nevada and transfers funds between Nevada and California in the course of the business. Additionally, the customers of Lucky Health Therapy utilize mobile payment exchange and service platforms like Venmo and Zelle to make payment for the services rendered.

CUELLAR admitted that he had committed 50-60 massage parlor robberies throughout Southern California.

IV. STATEMENT OF PROBABLE CAUSE

A. Robberies and Attempted Robberies Under Investigation

8. The ATF has been investigating a series of armed robberies and attempted robberies of massage parlors across Southern California, occurring no later than January 12, 2024 and after.

9. There is probably cause to believe that defendant has committed at least 50 robberies of massage parlors throughout Southern California, to include the following incidents that are being investigated and believed to be committed by the same crew:

1. January 12, 2024 - La Palace Massage Parlor, located at 1235 West Memory Lane, Santa Ana, California;
2. January 12, 2024 - Nature Spa Massage Parlor, located at 1151 West 17th Street, Santa Ana, California;
3. January 16, 2024 - Maple Spa, located at 17731 Sherman Way, Reseda, California;
4. January 16, 2024 - We Relax Spa, located at 19644 Sherman Way, Reseda, California;
5. January 16, 2024 - Blue Sky Health Center, located at 10953 ½ Venice, California;
6. January 22, 2024 - Suphattra's Retreat, located at 3070 West Chapman Avenue, Orange, California.

7. January 22, 2024 - Mimosa Massage, located at 2326 West Chapman Avenue, Orange, California.
8. January 22, 2024 - iMassage, located at 2445 West Chapman Avenue, Orange, California.
9. January 22, 2024 - unnamed massage parlor, located at 5110 West 17th Street Unit B, Santa Ana, California.
10. January 24, 2024 - Rich M. Acupuncture, located at 9604 Artesia Blvd. Unit 103, Bellflower California.
11. January 25, 2024 - Acupuncture and Massage, located at 2703 Artesia Blvd., Redondo Beach, California.
12. January 29, 2024 - Blue Sea YY Spa, located at 3816 South Bristol Street, Santa Ana, California.

10. During each of the incidents, two to three Hispanic male suspects wearing facemasks, one armed with a handgun, and in some incidents another armed with a knife entered the massage parlors. One of the suspects, would enter the location first and act as a customer wanting a massage. This suspect would often wear a blue Los Angeles Dodgers baseball hat, eyeglasses, and green cargo-style pants.² Once this suspect was allowed access through a locked door to the rear of the business, this suspect would hold the door open and allow either his accomplice or accomplices, who would enter the business after him and

² During the January 12, 2024 robberies, the suspect wore distinct white boots in addition to the clothing mentioned above.

travel into the rear of the business, where employees and customers would be robbed. In all the aforementioned incidents, the suspects would arrive and flee in a black Jeep Grand Cherokee which had tinted windows and black rims.³

B. Identification of the Black Jeep Grand Cherokee

11. I discovered through the course of the investigation and by reviewing related police reports, video surveillance, and license plate reader ("LPR") databases that the suspect vehicle appeared to be a black 2015 Jeep Grand Cherokee bearing California license plate 9ECB366 ("the Jeep"). CUELLAR was documented in prior police reports as being the driver of the Jeep, and it was registered to CUELLAR'S mother.

C. Lucky Health Therapy Robbery

12. On the evening of February 16, 2024, I, along with investigators of the OCVCTF, conducted surveillance of the Jeep. OCVCTF investigators surveilled the Jeep from the area of Compton, California, where OCVCTF personnel noticed the Jeep's rear and only license plate was covered with a paper plate that read "AutoNation Honda Costa Mesa".⁴ During this time, Special Agent ("SA") Ryan Stearman and TFO Joshua Walker both observed CUELLAR driving the vehicle with MORALES as a passenger. The vehicle left the area and eventually arrived in Torrance,

³ During the robberies which occurred on January 22, 2024, a third suspect was seen on video driving a gray unknown type four door vehicle.

⁴ I know based on my training and experience that suspects will often cover or place a different license plate on the vehicle they use during a commission of a crime, like robbery, to avoid identification by law enforcement or witnesses to the crime.

California. The vehicle exited Interstate 110 at Carson Street in Torrance, California, and headed westbound on Carson Street. While traveling on Carson Street the Jeep drove into several strip malls and shopping centers. Throughout the surveillance, CUELLAR would drive the Jeep up to various massage parlors and OCVCTF personnel observed CUELLAR step out of the driver's seat of the Jeep and walk into the massage parlors and exit a few seconds later. In one or more cases, CUELLAR tried to open a door to a massage parlor and found the door to be locked and went back to his vehicle, where MORALES would remain seated in the vehicle.

13. This pattern continued until approximately 8:35 PM, when TFO Dillan Cazares observed the Jeep pull into the parking lot of 1613 West Carson Steet in Torrance, California. OCVCTF personnel noticed there was a massage parlor at this address located in Unit 103 doing business as Lucky Health Therapy. The Jeep remained parked at the location for approximately 10 minutes, and then left the location traveling westbound on Carson Street. While other OCVCTF personnel continued surveilling the Jeep, SA Stearman and TFO Cazares went to Lucky Health Therapy, where they were met by several females exiting Lucky Health Therapy. The female victims stated that they had just been robbed by two "Latin" males, one who was armed with a knife and one who was armed with a handgun. The victims stated that they had not called 911 yet because most of their phones, among other items, were stolen by the suspects. SA Stearman broadcasted this information over the radio to the OCVCTF

personnel, who were maintaining surveillance of CUELLAR and MORALES in the Jeep. CUELLAR and MORALES traveled from Lucky Health Therapy to a Mobil gas station, located at 20802 South Vermont Avenue, Torrance, California. The Jeep was parked facing southbound at a set of gas pumps on the west side of the gas station.

14. There, I observed CUELLAR throwing items into a trash can near the gas pumps while MORALES was standing on the passenger side of the Jeep with the right rear passenger door open and leaning into the backseat. CUELLAR and MORALES both eventually walked to the rear of the Jeep and opened the rear hatch door. As CUELLAR and MORALES were standing at the back of the Jeep, OCVCTF personnel activated their unmarked police vehicle's red and blue emergency lights and sirens and converged on the Jeep.

15. MORALES immediately fled on foot westbound on Torrance Boulevard across Vermont Avenue where he was eventually taken into custody by OCVCTF personnel. While MORALES was running, he discarded several items belonging to the victims of the robbery at Lucky Health Therapy. When MORALES was taken into custody, he was found to have approximately \$4,000.00 of U.S. currency on his person.

16. CUELLAR fled on foot through the gas station and across lanes of traffic on Vermont Avenue before being taken into custody by OCVCTF personnel. While CUELLAR was running, he also proceeded to discard several items belonging to the victims of the robbery which had just occurred. At the time of his arrest

by OCVCTF, CUELLAR was wearing the same type of blue Los Angeles Dodgers baseball hat, eyeglasses, pants, and white boots worn by one of the suspects in the other robberies listed above and under investigation. At the time of his arrest CUELLAR was found to have approximately \$400.00 of U.S. currency on his person.

17. After CUELLAR and MORALES were arrested, I returned to where the Jeep was parked at the Mobil gas station. On the right rear passenger seat near the open right rear passenger door where I earlier observed MORALES standing, I saw in plain view a Kimber, Pro Carry HD II, .38 caliber, pistol bearing serial number KRF22036.⁵ I retrieved the handgun and found it to be loaded with a chambered round and two additional rounds in the magazine. The paper plate was removed from the rear of the Jeep and was found to be covering California license plate 9ECB366, which is registered to the Jeep.

18. I reviewed Lucky Health Therapy's surveillance video which captured the incident. I observed on the video the Jeep pull into the parking lot of 1613 West Carson Street and back into a parking space. CUELLAR exited the Jeep and walked into Lucky Health Therapy. CUELLAR was wearing the same clothing he had on at the time of his arrest but also had a black mask pulled down around his chin. CUELLAR approached the counter and acted as a customer and contacted a female employee. The employee and CUELLAR proceeded to walk through a door separating

⁵ This firearm was reported stolen on May 24, 2018, to the Los Angeles County Sheriff's Department.

the lobby from the back of the business. MORALES then entered the lobby and was wearing the same clothing in the video as he was wearing when I first observed him at the Mobil gas station and at the time of his arrest but in the video, he was also wearing a black mask across his nose and lower portion of his face. CUELLAR then opened the same door he previously walked through and allowed MORALES into the rear of the business. One of the female employees exited out of a second door on the other end of the lobby and ran outside. CUELLAR chased after this female and caught her in the parking lot. CUELLAR grabbed the female from behind, pulling her hair and forcing her back into the business.



Minutes later CUELLAR and MORALES exited Lucky Health Therapy and were both carrying multiple bags. CUELLAR and MORLAES got

back into the Jeep and drove off and fled westbound on Carson Street out of camera view.

19. After the robbery, officers with the Los Angeles Police Department ("LAPD") interviewed the victims, while TFO Cazares, SA Stearman and I were present. One victim described CUELLAR as the suspect armed with a knife and the suspect that grabbed her when she tried to escape from the takeover robbery. This victim also described MORALES as the suspect with the gun. Another victim described the suspect determined to be MORALES as waving the gun and attempting to steal as much from the victims as possible while CUELLAR was instructing MORALES that they had taken enough and needed to leave.

20. LAPD officers transported two of the victims at different times to the arrest location and conducted infield show ups of CUELLAR and MORALES. Prior to the show ups, both victims were admonished by LAPD officers. One victim positively identified CUELLAR as one of the suspects who robbed her, but was unsure regarding the identification of MORALES. The second victim could not identify the suspects.

F. Interview of CUELLAR

21. After his arrest, I, along with SA Wyatt Haccou, interviewed CUELLAR after providing Miranda warnings. CUELLAR admitted that he and MORALES committed the robbery at Lucky Health Therapy earlier that evening. CUELLAR admitted to being armed with a knife during the robbery, but claimed the knife he had was not illegal for him to be in possession of, and he bought the knife in Big Bear, California. CUELLAR also admitted

during the robbery that MORALES was armed with the handgun which was recovered from inside the Jeep. CUELLAR said that "when you have a gun nobody fights with you," referring to robbery victims. CUELLAR told us that he gave the handgun to MORALES and said he [CUELLAR] obtained the handgun from a friend. When CUELLAR borrowed the handgun from his friend, CUELLAR told this friend that he "was going to use it for something." CUELLAR said his friend told CUELLAR that "He didn't want to know what I was going to use it for." CUELLAR also admitted he has committed several robberies of massage parlors in the Southern California area from late November 2023 until December 2023 with a different suspect who he refused to identify. CUELLAR admitted he and MORALES together have committed several robberies of massage parlor businesses in Southern California since January 2024 until they were arrested by the ATF OCVCTF for the Lucky Health Therapy robbery that evening. CUELLAR estimated since late November 2023 until this arrest, he has been involved in committing between 50 to 60 robberies of massage parlors in the Southern California area with others (to include MORALES in some of these) and has secured approximately \$40,000 from various victims.

22. CUELLAR, at the time of the robbery and currently, is on federal probation for a narcotics conviction in the Southern District of California.

G. Search of the Jeep

23. On February 17, 2024, the Jeep was searched by OCVCTF personnel pursuant to a State of California search warrant.⁶ During the search of the Jeep, a silver and wood folding knife was located along with property belonging to the victims of the Lucky Health Therapy robbery. Following a search of the Jeep, two of the victims met with SA Stearman and TFO Cazares to identify property. While OCVCTF personnel were sorting property for the victims to identify, one of the victims saw a silver and wood folding knife found in the Jeep and immediately stated that the knife was the one used by the suspect, later determined to be CUELLAR, during the robbery.⁷ The victim then showed SA Stearman and TFO Cazares a puncture mark on her hand from the knife and bruising on her arm from the suspect forcibly grabbing her in the robbery.⁸ The victims also identified multiple items of their property which was found in the Jeep and advised the combination of the U.S. currency which was stolen from them during the robbery was approximately \$3,000.00.

V. CONCLUSION

24. For all the reasons described above, there is probable cause to believe that CUELLAR and MORALES have violated 18

⁶ This warrant was obtained by TFO Cazares for the search of the Jeep based on facts related to the robbery described herein. The search warrant was granted on February 17, 2024, by Superior Court of California, County of Orange Judge Brian A.S. Waite.

⁷ Also found in the Jeep was another knife with the inscription "Big Bear Lake California."

⁸ Photographs were subsequently taken of these injuries that the victim made law enforcement aware of at that time.

U.S.C. § 1951(a), interference with commerce by robbery, and 18
U.S.C. § 924(c), use of a firearm during a crime of violence.

Attested to by the applicant in
accordance with the requirements
of Fed. R. Crim. P. 4.1 by
telephone on this 20th day of
February, 2024.

/s/ Autumn D. Spaeth
HONORABLE AUTUMN D. SPAETH
UNITED STATES MAGISTRATE JUDGE